

U.S. Serial No.10/748,035

Attorney Docket No. 2003P18909US

**REMARKS**

Claims 1-5, and 12-16 stand rejected as being anticipated over US pat. No. 4,870,308 (Hereinafter Sismour, Jr.). Claims 1-22 stand rejected under the doctrine of obviousness-type double patenting over claims 1-19 of US pat. application No. 10/738,835. Reconsideration of the rejections is requested in view of the following remarks.

Independent claims 1 and 12 have been cancelled. Claims 6 and 17 have been rewritten in independent form. Various dependent claims were amended to indicate their new claim dependency. Claims 2-11 and 13-22 remain pending in the present application.

Applicant notes that Sismour, Jr. fails to anticipate or otherwise render unpatentable independent claims 6 and 17, and any claims that depend from such independent claims.

Applicant further notes that in view of the terminal disclaimer filed together with the present response, the obviousness-type double patenting issues have been mooted, and, consequently, the rejections noted in the Office communication should be withdrawn.

It is respectfully submitted that each of the claims pending in this application recites patentable subject matter and it is further submitted that such claims comply with all statutory requirements and thus each of such claims should be allowed.


The applicant welcomes the Examiner to call the undersigned attorney if there are any outstanding items that may be resolved via telephone conference.

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Respectfully submitted,



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